

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :  
MARK JOSEPH KOSEK and :  
CAROL LYN KOSEK : CHAPTER 13  
Debtors. :

\*\*\*\*\*

PNC BANK, NATIONAL ASSOCIATION :  
Movant, :

vs. :

MARK JOSEPH KOSEK and :  
CAROL LYN KOSEK : CASE NO. 5-21-02442  
Respondents. :

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**DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM**  
**AUTOMATIC STAY UNDER SECTION 362**

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AND NOW COMES, Mark and Carol Kosek, the Debtors, and files an Answer to PNC  
Bank's Motion for Relief From the Automatic Stay:

1. Mark and Carol Kosek (hereinafter the "Debtors") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Movant alleges that Debtor has failed to make post-petition mortgage payments.
3. Debtors Counsel is in the process of contacting the Debtors to ascertain if the payments have been made and/or if the Debtor is in possession of the funds to cure the alleged default.
4. In the event there remains an arrears, the Debtors wish to enter into a Stipulation to cure the arrears over a six (6) month period and/or include the arrears in an amended Chapter 13 Plan.

5. Movant is not entitled to relief from the automatic stay as the arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and/or a six (6) month Stipulation, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: April 28, 2023

/s/Tullio DeLuca  
Tullio DeLuca, Esquire  
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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that on April 28, 2023, he caused a true and correct copy  
of Debtor's Answer to PNC Bank's Motion for Relief from the Automatic Stay to be served Via  
First Class United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Jack N. Zaharopoulos, Esq. at info@pamd13trustee.com

Denise Carlon, Esq. at bkgroup@kmlawgroup.com

Dated: April 28, 2023

/s/Tullio DeLuca  
Tullio DeLuca, Esquire